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CITY OF DALLAS

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98-141

February 24, 1999

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. Lawrence E. Strickling  
Chief, Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W., Room 500  
Washington, DC 20554

Re: Southwestern Bell Telephone Company/Ameritech Communications  
International, Inc.

Dear Mr. Strickling:

At the last meeting of the FCC's Local and State Government and Advisory Committee, I mentioned that Ameritech Communications International, Inc. ("Ameritech") had applied and received a franchise to provide telecommunications services in the City of Dallas, but had withdrawn its acceptance of the franchise after the announcement of its merger with Southwestern Bell Telephone Company ("SWBT"). At that time it was requested that I prepare a letter confirming the facts surrounding these events.

For your information, Ameritech requested a Special Provider Certificate of Authority from the Texas Public Utility Commission on January 28, 1997. It was granted on April 2, 1997. Thereafter on March 31, 1998, Ameritech applied for a local service telecommunications franchise from the City of Dallas and requested a hearing on April 22, 1998. On May 13, 1998, the Dallas City Council approved Ordinance No. 23512. This ordinance gave Ameritech 45 days to accept the franchise.

Prior to the passage of the ordinance, but subsequent to the application, two events occurred. First, on April 3, 1998, SWBT sued the City of Dallas over the terms of its telecommunications franchise. Second, SWBT and Ameritech announced a proposed merger. The approved Ameritech franchise was virtually identical to the SWBT franchise.

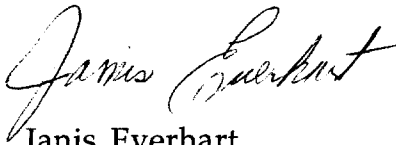
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By letter dated June 25, 1998, Ameritech conditionally accepted the terms of the franchise. On that same date the Dallas City Secretary received a phone call requesting that the acceptance be returned to Ameritech. That request was put in writing by letter dated June 29, 1998, which stated that "Ameritech has reevaluated its business plans and decided not to offer telecommunications services in the City of Dallas in the foreseeable future." On June 30, 1998, the acceptance letter was returned to Ameritech. A copy of the request to return the acceptance and the letter returning the acceptance are attached for your information.

Please let me know if I can be of further assistance or if you have any other questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janis Everhart".

Janis Everhart  
Assistant City Attorney

Attachments

cc: Mary Poss, Mayor Pro Tem  
Angela K. Washington, Interim City Attorney  
Mary Suhm, First Assistant City Manager  
Commissioner David Svanda



CITY OF DALLAS

June 30, 1998

Ms. Joan McGrath, Director  
National Negotiations and Planning  
Ameritech  
Floor 17B  
225 West Randolph Street  
Chicago, IL. 60606

Re: Acceptance of Dallas City Ordinance No. 23512

Dear Ms. McGrath:

On June 25, 1998, Mr. Tom Grace called me requesting that I return your letter of Acceptance of Dallas City Ordinance No. 23512. Monday, June 29, 1998, I called Mr. Grace to inform him that I needed the request in writing on Ameritech letter head. I am returning your letter per the enclosed letter received from Mr. Grace on June 29, 1998. If you need additional information, feel free to call me at 214-670-3741.

Sincerely,

  
SHIRLEY AGY  
Acting City Secretary

Enclosures

c: ✓Janice Everhart, Assistant City Attorney  
Thomas E. Grace, esq.



2000 West Ameritech Center Drive  
447C  
Hoffman Estates, IL 60196-1023  
Office 847/248-6030  
Fax 847/248-6013

Thomas E. Grace  
Counsel

VIA FAX

June 29, 1998

Ms. Shirley Acey  
Acting City Secretary  
City of Dallas  
SDS City Hall  
1500 Marilla Street  
Dallas, Texas 75201

Re: Acceptance of Dallas City Ordinance No. 23512

Dear Ms. Acey:

On June 25, 1998, Ms. Joan McGrath sent to your office the acceptance by Ameritech Communications International, Inc. ("Ameritech") of the City of Dallas' Franchise Ordinance No. 23512.

As I discussed with you last week and today, Ameritech has reevaluated its business plans and decided not to offer telecommunications services in the City of Dallas in the foreseeable future. As such, we have no need for a franchise.

Therefore, I would appreciate your returning to me the Acceptance letter. If you have any questions, you may reach me at the above telephone number.

Thank you for your assistance.

Sincerely,

Thomas E. Grace

Cc: Ms. Joan McGrath  
Mr. Nick Fehrenbach